

1 44. (As Filed) The system of claim 41, wherein one of the constraints relates  
2 to teeth extraction.

1 45. (As Filed) The system of claim <sup>40</sup>41, wherein one of the constraints relates  
2 to teeth stripping.

1 46. (As Filed) The system of claim 41, wherein one of the constraints relates  
2 to teeth rotation.

1 47. (Previously Amended) The system of claim 46, wherein one of the  
2 appliances rotates the teeth approximately five and ten degrees.

1 48. (As Filed) The system of claim 41, wherein one of the constraints relates  
2 to teeth movement.

L Claim 49 has been previously cancelled.

B3 1 49. (Twice Amended) The system of claim <sup>40</sup>41, wherein one of the appliances  
2 moves each tooth approximately 0.2mm to approximately 0.4mm.

B4 1 50. (Amended) The system of claim <sup>40</sup>41, wherein the constraints are stored in  
2 an array.

B5 1 51. (Twice Amended) The system of claim <sup>49</sup>51 wherein one dimension of the  
2 array identifies each segment.

REMARKS

The Office Action rejected claims 10-12 and 50-52 under 35 U.S.C. §112, second paragraph. The Office Action further rejected claims 1-8, 10-48, and 50-52, provisionally rejected the obviousness under the judicially created doctrine of obviousness double-patenting.

In response, the claims have been amended to depend from pending claims. Further, withdrawal of the § 112 rejection is respectfully requested.


Applicants also submit a terminal disclaimer to overcome the double patenting rejections. Withdrawal of the double patenting objection is respectfully requested. Applicants respectfully submit that all claims are now in condition for allowance.

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Attached is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned with "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

If for any reason the Examiner believes that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 408.470.1368.

Respectfully submitted,



Bao Tran  
Reg. No. 37,955

Attachment: *Terminal Disclaimer*

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
BT:jke

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VERSIONS WITH MARKINGS TO SHOW CHANGES MADE

10. (Twice Amended) The method of claim 1 [9], wherein one of the appliances moves each tooth approximately 0.2mm to approximately 0.4mm.

11. (Amended) The method of claim 1 [9], wherein the constraints are stored in an array.

50. (Twice Amended) The system of claim 41 [49], wherein one of the appliances moves each tooth approximately 0.2mm to approximately 0.4mm.

51. (Amended) The system of claim 41 [49], wherein the constraints are stored in an array.

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